

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: IOWA NETWORK SERVICES, INC.	DOCKET NO. SPU-03-4
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ORDER DOCKETING APPLICATION AND REQUIRING RESPONSE

(Issued April 9, 2003)

On March 28, 2003, Iowa Network Services, Inc. (INS), filed with the Utilities Board (Board) a request to disconnect S&S Communications (S&S) from access service after April 14, 2003. The filing has been identified as Docket No. SPU-03-4. In support of its request, INS states that S&S is indebted to INS for billings delinquent in excess of 265 days. Repeated inquiries by INS to secure payment remain unanswered by S&S. INS also states that it has provided S&S with sufficient notice for a deposit and intent to disconnect which appear to be in compliance with Board rules regarding deposits and disconnections.

Iowa Code § 476.20(1) (2003) states:

A utility shall not, except in cases of emergency, discontinue, reduce, or impair service to a community, or a part of a community, except for nonpayment of account or violation of rules and regulations, unless and until permission to do so is obtained from the board.

INS states that the number of customers currently being served by S&S is unknown as is the extent of any hardship these customers may encounter when seeking to obtain another service provider. The Board is obligated to attempt to determine this

information before granting INS's request, to ensure compliance with Iowa Code § 476.20. Therefore, the Board will docket this request for further investigation.

In addition, the Board will require S&S to provide a response to INS's filing on or before April 18, 2003. The response should include, but not be limited to, any basis for disagreement with INS's billings to S&S, a list of customers, or the number of customers potentially impacted by a discontinuance of S&S's services, as well as all other intrastate service providers available in S&S' service area.

IT IS THEREFORE ORDERED:

1. The request for disconnection, identified as Docket No. SPU-03-4, filed by Iowa Network Services, Inc., on March 28, 2003, is docketed for further investigation.

2. A response to the allegations raised by Iowa Network Services, Inc., in its request for disconnection shall be filed by S&S Communications on or before April 18, 2003.

3. Any party requesting an evidentiary hearing in this matter shall do so on or before April 18, 2003.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 9th day of April, 2003.